

testimony of their conscience that they have acted in strict conformity with the law. This is our crown of rejoicing, and no man can deprive us of it.

Mr. R. then discussed the right of forcible induction into office and the law of habeas corpus, and illustrated his views by reference to the legal enactments and historical examples for several hundred years. Mr. Roger's argument on all the questions raised in the case was very full and exhaustive of the subject, and lasted three hours.

At five o'clock, P. M., the further hearing was postponed until 10 o'clock, A. M., to-morrow.

SATURDAY MORNING, NOV. 10th.

Upon the opening of the cases this morning, Mr. Rogers asked permission to cite a few authorities on behalf of the State to support the ground taken by him that a court could act "upon view" in case of a riot—that it was not only sufficient for the purpose of a warrant, but for the purpose of a conviction, and that commitment in general terms was sufficient. He also stated that if there was an error in the first commitment of the parties, it was a misprision of the clerk, and correctable by the court—that a court of record may commit without form of warrant.

Mr. Schley said the State could not produce any authority for a State's Attorney, deputy or judge to send in a new commitment in the absence of the accused.

#### ARGUMENT OF MR. ALEXANDER.

Thomas S. Alexander, Esq., said, if I were about to address the popular sense, I should refer to many of the topics discussed by my friends on the other side with so much energy and eloquence. By making a plain statement of a plain case, I could not doubt of my ability to convince my audience the counsel and the court that instead of receiving the public obloquy, the State's attorney and the judge of the Criminal Court deserve the grateful thanks of the country for their prompt and energetic action in the arrest of the parties.

I am satisfied, and I think it is the general sentiment of the community, that had it not been for that action, the sun would have set upon Saturday last upon a scene of riot and massacre and bloodshed. I cannot, however, forget that I am arguing a legal case before a judge of the Court of Appeals. I propose to limit myself to the discussion of questions of law and fact. You have had a description of the events which led to the adoption of the police law of 1861. The present Executive of Maryland, who now seeks to destroy the efficiency of this board, was the head of the police organization in 1860, and it was because of his manipulations of that force that the change was made in the law. The opposing counsel thinks no antecedent case of similar character is to be found in history. They say justly that the Missouri case does not